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HITT GAINES P.C. P.O. BOX 832570 RICHARDSON, TX 75083			TARAE, CATHERINE MICHELLE	
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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/822,013	Applicant(s) BRAUD ET AL.	
	Examiner C. Michelle Tarae	Art Unit 3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-101 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-101 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on March 3, 2006 has been entered.

Claims 1, 31, 61 and 91 have been amended. Claims 1-101 are currently pending.

Response to Amendment

2. Applicant's amendments to claims 1, 31, 61 and 91 are acknowledged.

Response to Arguments

3. Applicant's arguments have been fully considered, but are found unpersuasive. In the Remarks, Applicant argues that Swanson does not catch a message *at an enterprise level*, wherein the message was generated by a disparate, ancillary system *at a sub-enterprise level* using a set of content rules and the message conforms to a message standard; converting, *at the enterprise level*, content from the message to enterprise information using the content conversion rules, wherein the enterprise information *is in an enterprise message defined by enterprise specific messaging rules*.

In response to the argument, Examiner respectfully disagrees. In col. 4, lines 42-56, Swanson discloses transaction requests, or messages, originating from many different sources with their own operating systems and data formats. The different sources of Swanson, which are billing subsystems, customer service subsystems and benefits subsystems, for example, equate to the disparate, ancillary systems at a sub-enterprise level as disclosed in the claims and as shown in Figure 2 of Applicant's invention. Thus, Swanson teaches messages being generated by disparate, ancillary systems at a sub-enterprise level.

In col. 5, lines 4-30, Swanson discloses when a message is generated by a disparate, ancillary system at a sub-enterprise level, it is sent through a communication interface, which is a common interface among the disparate, ancillary systems that generates communication codes to convert disparate data into a common format, or an enterprise-level format. The common interface that receives messages and converts the disparate data from the ancillary systems to a common format is equivalent to Applicant's disclosure of catching a message at an enterprise level and converting at the enterprise level the data of the message since the catching of a message at an enterprise level and converting the message at an enterprise level as disclosed in Applicant's specification (page 26, line 23-page 27, line 24) is merely converting the data into a more standard or universal format (from the ancillary system's proprietary format). Thus, Swanson teaches catching a message at an enterprise level.

In col. 5, lines 17-30, col. 8, lines 7-20, the abstract and in Figures 7-10 Swanson teaches the common interface taking the proprietary data of the disparate, ancillary

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systems and, using communication codes (i.e., enterprise-level content conversion rules), converting the proprietary data to a standard, or enterprise-level format so that the data may be used enterprise-wide, or across several disparate, ancillary systems. Thus, Swanson teaches converting, at the enterprise level, content from the message to enterprise information using the content conversion rules, wherein the enterprise information is in an enterprise message defined by enterprise specific messaging rules.

Additionally, Examiner notes that on page 26 of the Remarks, Applicant supports the argument addressed above by indicating that since Swanson directs messages using servers, the messages are considered to be at a sub-enterprise level. However, it is unclear to Examiner the relevance or correlation between using servers and having messages directed at a sub-enterprise level as it is unclear how any data would be able to be communicated across a network without the use of servers. In other words, it appears that the use of servers in Swanson is irrelevant since the claims of the present invention do not preclude the use of servers to communicate data and also in light of Examiner's interpretation of sub-enterprise level to mean data that is in a proprietary format of a disparate, ancillary system and enterprise level to mean data that is in a standard or universal format, which renders the type of equipment used to communicate the data irrelevant.

Accordingly, Examiner has fully considered the arguments, but deems them unpersuasive. The rejection has been updated based on the amendments and is provided below.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-11, 21, 22, 27, 31-41, 51, 52, 57, 61-71, 81, 82, 87, 91-95 and 97-101 are rejected under 35 U.S.C. 102(e) as being anticipated by Swanson et al. (U.S. 6,112,183).

As per claim 1, Swanson et al. discloses a data processing system implemented method for accomplishing an enterprise event based on a unified collection of information realized from a plurality of disparate, ancillary systems comprising:

catching a message at an enterprise level, wherein the message was generated by a disparate, ancillary system at a sub-enterprise level using a set of content rules and the message conforms to a message standard (col. 4, lines 42-56; col. 5, lines 1-13; col. 5, line 66-col. 6, line 6; Figures 2 and 4; Messages, or transaction requests, are generated from different sources across a healthcare network/system, where the sources include enrollment, billing and customer service subsystems, for example. Each subsystem has its own data format. The messages are caught by a common communication interface that converts the data using communication codes from a proprietary format into a standard or universal format recognized by the healthcare

network/system. Thus, converting the data at the common communication interface to a standard format places the data at an enterprise level so that it may be used or sent across several subsystems.);

opening the message (col. 6, lines 2-8 and 33-37; The message sent from a client to a server is opened and processed.);

identifying the disparate, ancillary system based on the message (col. 6, lines 51-55; col. 7, lines 24-25; The system validates the client the message is from.);

accessing content conversion rules based on the identity of the disparate, ancillary system (col. 6, lines 35-37 and 56-65; col. 7, lines 8-14; Server stubs access content conversion rules to process the client's request.);

converting, at the enterprise level, content from the message to enterprise information using the content conversion rules, wherein the enterprise information is in an enterprise message defined by enterprise specific messaging rules (col. 5, lines 17-30 and 33-47; col. 8, lines 7-20; The system uses makefile templates, which contain content conversion rules to convert data from sub-enterprise level formats to an enterprise level format. Enterprise level codes updated by national medical and insurance associations are also used to convert the data.);

retrieving enterprise relationship rules based on the enterprise information (col. 8, lines 30-35; Figure 10);

checking the enterprise information for a relationship with enterprise data based on the relationship rules (col. 8, lines 22-35; Figure 10; The system checks the enterprise data based on the relationship rules in the database.); and

scheduling an enterprise event based on a relationship between the enterprise information converted from the message and the enterprise data stored on the enterprise database (col. 6, lines 21-31; col. 8, lines 36-50; The system schedules the enterprise event based on the message (i.e., requests for transaction service) received and processed.).

As per claim 2, Swanson et al. discloses the method recited above in claim 1 further comprising: storing the enterprise information in the enterprise database (col. 8, lines 31-33; Figure 10; The system stores the enterprise information in a relational database.).

As per claim 3, Swanson et al. discloses the method recited above in claim 1, wherein the enterprise is a health care facility (col. 2, lines 20-22).

As per claim 4, Swanson et al. discloses the method recited above in claim 1 further comprising:

receiving an enterprise request for access to data in the enterprise database (col. 8, lines 22-35; The reference provides an example of a request for procedure code fee schedule information.);

identifying the portion of enterprise data from information from the enterprise request (col. 8, lines 22-35; The procedure code fee schedule information is accessed from the enterprise database.);

identifying the requestor from the enterprise request (col. 7, lines 20-24; The system verifies the identity of the requestor.);

retrieving enterprise relationship rules based on the identity of the requestor (col. 7, lines 31-37; The system checks that the identity is a member of a group with specific privileges.);

identifying at least one user with a privilege to the identified portion of enterprise data (col. 7, lines 31-37); and

granting the requestor access to the identified portion of enterprise data based on the requestor being identified as a user with the privilege to the identified portion of enterprise data (col. 7, lines 31-37).

As per claim 5, Swanson et al. discloses the method recited above in claim 4, prior to granting the requestor access to the identified portion of enterprise data the method further comprising:

comparing the identity of at least one user with a privilege to the identified portion with the identity of the requestor (col. 7, lines 31-37); and

returning a warning response to the requestor based on the outcome of the comparison (col. 6, lines 53-65; The system returns error parameters when validating an identity as part of a security ticket.).

As per claim 6, Swanson et al. discloses the method recited above in claim 2 further comprising:

detecting an error in a portion of enterprise data maintained on the enterprise database (col. 6, lines 53-65; The system returns error parameters when validating an identity as part of a security ticket.);

identifying a source disparate, ancillary system, wherein the source disparate,

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ancillary system is a source for the portion of enterprise data (col. 3, lines 41-45; col. 4, lines 42-56; col. 6, lines 38-39; The system discloses that a server can act as a client to other servers in the system, therefore, servers and clients (i.e., ancillary systems) can act as a source for enterprise data.);

locating the portion of enterprise data in the source disparate, ancillary system (col. 8, lines 22-29; The reference shows an example of a request for procedure code fee schedule information.); and

accessing the source disparate, ancillary system for the portion of enterprise data (col. 8, lines 29-35; The procedure code fee schedule information is accessed from the enterprise database.).

As per claim 7, Swanson et al. discloses the method recited above in claim 6 further comprising: overwriting the portion of enterprise data maintained on the enterprise database with the portion of enterprise data from the source disparate, ancillary system (col. 8, lines 45-47; Corrections/changes to data in the systems are entered as transactions requests (i.e., messages).).

As per claim 8, Swanson et al. discloses the method recited above in claim 1, wherein the enterprise event is an enterprise service, scheduling the enterprise event further comprises: identifying a recipient for the enterprise service from the enterprise information (col. 8, lines 36-50; The reference discloses enrolling an individual as a member of a health care plan.).

As per claim 9, Swanson et al. discloses the method recited above in claim 8, wherein scheduling the enterprise event further comprises:

identifying an enterprise department responsible for administering the performance of enterprise services to the recipient based on the identity of the recipient for the enterprise service and the enterprise data (col. 8, lines 36-50; The enrollment department is identified as being responsible for an enrollment request. The enrollment information is retrieved from the enrollment subsystem and can be communicated to other subsystems such as the benefits subsystem.).

As per claim 10, Swanson et al. discloses the method recited above in claim 8, wherein scheduling the enterprise event further comprises:

identifying an enterprise service person responsible for performance of the enterprise service based on the identity of the recipient of the enterprise service and the enterprise data (col. 7, lines 32-54; col. 8, lines 36-50; The system verifies that the user making the request is authorized to do so. Thus, the enterprise service person conducting the membership enrollment request must be authorized to do so.).

As per claim 11, Swanson et al. discloses the method recited above in claim 8, wherein scheduling the enterprise event further comprises:

identifying an enterprise service person responsible for performance of the enterprise service and an enterprise department responsible for administering the performance of enterprise services to the recipient based on the identity of the recipient of the enterprise service and the enterprise data (col. 7, lines 32-54; col. 8, lines 36-50; The system verifies that the user making the request is authorized to do so. Thus, the enterprise service person conducting the membership enrollment request must be authorized to do so.).

As per claim 21, Swanson et al. discloses the method recited above in claim 1, wherein the enterprise event is an enterprise function, scheduling the enterprise event further comprises:

identifying an enterprise user responsible for executing the enterprise function from the enterprise information (col. 8, lines 36-50; The enrollment department is identified as being responsible for an enrollment request. The enrollment information is retrieved from the enrollment subsystem and can be communicated to other subsystems such as the benefits subsystem.).

As per claim 22, Swanson et al. discloses the method recited above in claim 21, wherein scheduling the enterprise event further comprises:

retrieving enterprise relationship rules based on the identity of the enterprise user (col. 7, lines 31-37; The system checks that the identity is a member of a group with specific privileges.);

identifying at least one user with a privilege to the enterprise function (col. 7, lines 31-37); and

granting the enterprise user access to the enterprise function based on the enterprise user being identified as a user with the privilege to the enterprise function (col. 7, lines 31-37).

As per claim 27, Swanson et al. discloses the method recited above in claim 22 wherein the enterprise user is one of a physician, an intern and a resident and the enterprise is a health care facility (col. 7, lines 44-54).

Claims 31-41, 51, 52, 57, 61-71, 81, 82, 87, 91-95 and 97-101 recite substantially similar subject matter as claims 1-11, 21, 22 and 27 above. Therefore, claims 31-41, 51, 52, 57, 61-71, 81, 82, 87, 91-95 and 97-101 are rejected on the same basis as claims 1-11, 21, 22 and 27 above.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 12-20, 23-26, 28-30, 42-50, 53-56, 58-60, 72-80, 83-86, 88-90 and 96 are rejected under 35 U.S.C. 103(a) as being unpatentable over Swanson et al. (U.S. 6,112,183) as applied above and Delestienne et al. (U.S. 6,377,162).

As per claims 12-14, Swanson et al. does not expressly disclose the method recited above in claim 9, wherein scheduling the enterprise event further comprises:

establishing a scheduling time for performance of the enterprise service; and notifying the enterprise department responsible for administering the performance of enterprise services to the recipient of the scheduling time. Delestienne et al. discloses receiving a service request, scheduling the handling of the service request and notifying the department responsible for the service request to be handled (col. 13, line 60-col. 14, line 26; col. 17, lines 14-17; col. 17, line 49-col. 18, line 5; Figure 8). Swanson et al. and Delestienne et al. are analogous arts in that each teaches receiving and processing

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service requests for a healthcare system. At the time of the invention, it would have been obvious to a person of ordinary skill in the art for the service requests of Swanson et al. to be scheduled and managed in the manner taught by Delestienne et al. since Delestienne et al. provides an intuitive user interface through which service requests are scheduled and managed, which is lacking in Swanson et al. Thus, the intuitive user interface of Delestienne et al. provides an easier and more efficient means for healthcare personnel to schedule and manage service requests in a healthcare system.

As per claims 15 and 23, Swanson et al. does not expressly disclose the method recited above in claims 14 and 22, wherein notifying further comprises: updating an enterprise web page with the scheduling time for performance of the enterprise service. Delestienne et al. discloses the method recited above in claim 14, wherein notifying further comprises: updating an enterprise web page with the scheduling time for performance of the enterprise service (col. 17, lines 14-25; Figure 10). Swanson et al. and Delestienne et al. are combinable for the reasons set forth above. Additionally, at the time of the invention, it would have been obvious to a person of ordinary skill in the art for the system of Swanson et al. to update a web page with the scheduling information related to a service request as doing so provides immediate feedback to remote users of the system (Delestienne et al., col. 17, lines 14-15), thus facilitating the scheduling of service requests among users physically located in different areas.

As per claim 16, Delestienne et al. discloses the method recited above in claim 15, wherein notifying further comprises:

accessing notification information for enterprise service person from the enterprise data; selecting a transmission medium based on notification criteria in the notification information; and transmitting a message using the transmission medium based on the notification information (col. 18, line 62-col. 19, line 11). Swanson et al. and Delestienne et al. are combinable for the reasons set forth above. Additionally, at the time of the invention, it would have been obvious to a person of ordinary skill in the art for the system of Swanson et al. to enable an enterprise service person to select a transmission medium and transmit a message accordingly as certain notifications may require responses or attention within a certain timeframe and only select transmission mediums may support certain responses within a certain timeframe. For example, notifications requiring immediate attention would be best handled via a telephone so that the appropriate service personnel may communicate in real time. Lower priority notifications may be sent via a text message to an email or pager. Thus, allowing service personnel to select the transmission medium through which to send notifications provides a flexible communication system.

As per claim 17, Delestienne et al. discloses the method recited above in claim 16, wherein the transmission medium is a telephone, the notification information includes a telephone number, and the message is an oral notification (col. 18, lines 37-41). Swanson et al. and Delestienne et al. are combinable for the reasons set forth above.

As per claim 18, Delestienne et al. discloses the method recited above in claim 16, wherein the transmission medium is a pager, the notification information includes a

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pager telephone number, and the message is a text notification (col. 14, line 62-col. 15, line 10). Swanson et al. and Delestienne et al. are combinable for the reasons set forth above.

As per claim 19, Delestienne et al. discloses the method recited above in claim 15, wherein scheduling the enterprise event further comprises:

receiving an acknowledgment from the enterprise service person that the scheduling time for performance of the enterprise service has been received by the enterprise service person (col. 12, lines 54-59; Figure 6; The user initiating the service request receives an acknowledgement message from the enterprise service person about the enterprise service person receiving the request for service.). Swanson et al. and Delestienne et al. are combinable for the reasons set forth above. Additionally, at the time of the invention, it would have been obvious to a person of ordinary skill in the art for the system of Swanson et al. to receive an acknowledgement from the enterprise service person that the scheduling time for performance of the enterprise service has been received by the enterprise service person as doing so provides confirmation that a message was received, thus enhancing the integrity of the transmission of messages across the system.

As per claim 20, Delestienne et al. discloses the method recited above in claim 19, wherein scheduling the enterprise event further comprises:

notifying the enterprise department responsible for administering the performance of enterprise services to the recipient that the enterprise service person responsible for administering acknowledges the scheduling time for performance of

the enterprise service (col. 12, lines 54-59; Figure 6; The user initiating the service request receives an acknowledgement message from the enterprise service person about the enterprise service person receiving the request for service.). Swanson et al. and Delestienne et al. are combinable for the reasons set forth above.

As per claim 24, Swanson et al. discloses the method recited above in claim 23 wherein the at least a portion of the enterprise information is a document and the tool to perform the enterprise function is an electronic signature tool (col. 7, lines 31-38; col. 8, lines 36-50; The system verifies that the user performing the function has been identified and is authorized to perform the function. Thus, if the user is performing the function, the user has approved the function (i.e., providing a digital signature).).

As per claim 25, Swanson et al. discloses the method recited above in claim 24 wherein the tool to perform the enterprise function further includes a document editing feature (col. 8, lines 36-50).

As per claim 26, Swanson et al. discloses the method recited above in claim 25 wherein the editing feature of the tool to perform the enterprise function requires a separate privilege (col. 7, lines 31-38; The system verifies that the user performing the function has been identified and is authorized to perform the function.).

As per claims 28 and 29, Swanson et al. discloses the method recited above in claims 24 and 25 wherein scheduling the enterprise event further comprises:

receiving an acknowledgment from the enterprise user that a document has been

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electronically signed by the enterprise user (col. 7, lines 25-38; col. 8, lines 36-50; A user is essentially electronically "signing" a document by actively performing a function associated with the document that only authorized users are permitted to perform.).

As per claim 30, Swanson et al. discloses the method recited above in claim 24 wherein scheduling the enterprise event further comprises:

faxing a copy of the signed document to a destination based on the enterprise data (col. 36, lines 43-45).

Claims 42-50, 53-56, 58-60, 72-80, 83-86, 88-90 and 96 recite substantially similar subject matter as claims 12-20 and 23-26 and 28-30 above. Therefore, claims 42-50, 53-56, 58-60, 72-80, 83-86, 88-90 and 96 are rejected on the same basis as claims 12-20 and 23-26 and 28-30 above.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Abbrussese et al. (U.S. 5,557,515) discusses a system for work management;
- Tarter et al. (U.S. 5,704,044) discusses a healthcare system for managing account receivable;
- Macrae et al. (U.S. 5,786,816) discusses a GUI for a healthcare system;
- Macrae et al. (U.S. 5,826,237) discusses a method for merging medical protocols;

- Macrae et al. (U.S. 5,850,221) discusses a GUI for a medical protocol system;
- De La Hueraga (U.S. 6,434,567) discusses a system for specifying enterprise-wide formats.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to C. Michelle Tarae (formerly, C. Michelle Colon) whose telephone number is 571-272-6727. The examiner can normally be reached Monday – Friday from 8:30am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz, can be reached at 571-272-6729.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


C. Michelle Tarae
Patent Examiner
Art Unit 3623

May 5, 2006